

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission's Own Motion to improve distribution level interconnection rules and regulations for certain classes of electric generators and electric storage resources.

Rulemaking 11-09-011
(Filed September 22, 2011)

DECISION GRANTING COMPENSATION TO THE INTERSTATE RENEWABLE ENERGY COUNCIL FOR SUBSTANTIAL CONTRIBUTION TO DECISION 12-09-018

Claimant: Interstate Renewable Energy Council, Inc.	For contribution to Decision (D.) 12-09-018
Claimed (\$): \$271,200.00 (\$307,241 including requested fee enhancement)	Awarded (\$): \$257,453.05 (reduced 5.1%)
Assigned Commissioner: Com. Michel Peter Florio	Assigned Administrative Law Judge (ALJ): ALJ Regina DeAngelis

PART I: PROCEDURAL ISSUES

A. Brief Description of Decision:	Decision (D.) 12-09-018 adopts in full a multi-party settlement agreement that substantially revises Electric Tariff Rule 21 (Rule 21), which governs the interconnection of electric generating facilities to the distribution systems of Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), and San Diego Gas & Electric Company (SDG&E).
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B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:

	Claimant	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC):	N/A for Phase I	Correct
2. Other Specified Date for Notice of Intent (NOI):	October 27, 2011	Correct
3. Date NOI Filed:	October 27, 2011	Correct

4. Was the NOI timely filed?	Yes	
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:		
6. Date of ALJ ruling:		
7. Based on another California Public Utilities Commission (CPUC or Commission) determination (specify):	(see Note 1 below)	See Comment(s)
8. Has the Claimant demonstrated customer or customer-related status?	Yes	
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:		
10. Date of ALJ ruling:		
11. Based on another Commission determination (specify):	(see Note 2 below)	See Comment(s)
12. Has the Claimant demonstrated significant financial hardship?	Yes	
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.12-09-018	Correct
14. Date of Issuance of Final Order or Decision:	September 20, 2012	Correct
15. File date of compensation request:	November 16, 2012	Correct
16. Was the request for compensation timely?	Yes	

C. Additional Comments on Part I:

#	Claimant	CPUC	Comment
	X		<p>The Interstate Renewable Energy Council (IREC) meets the definition of a Category 3 customer because it is a non-profit, 501(c)(3) organization representing California customers and seeks to expand retail programs and polies that reduce barriers to renewable energy deployment and increase consumer access to renewable technologies and to “promote safe, quality renewable energy products and fair practices.” IREC’s focus on expanding customer access to renewable energy resources facilitates ratepayer choices that benefit the environment, which is of further benefit to residential ratepayers in California.</p> <p>Pursuant to D.98-04-059, Finding of Fact 13, an intervenor must show that it will represent customer interests that would otherwise be under-represented. IREC is the sole intervenor with an understanding of national best practices in the area of interconnecting distributed generation. Thus, IREC’s contribution to this proceeding will be distinct.</p>

	X	<p>IREC is making its showing of significant financial hardship at this time, as defined by § 1802 (g) of the Public Utilities Code:</p> <p>“Significant financial hardship” means either that the customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate’s fees, expert witness fees, and other reasonable costs of participation, or that, in the case of a group or organization, the economic interest of the individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding.”</p> <p>IREC is a non-profit organization dependent on outside funding sources to perform its work. Any economic impact on the organization and its members resulting from the outcome of this proceeding would be negligible. Accordingly, we conclude that participation without the assistance of the intervenor compensation program would create an undue burden on the organization.</p>
	X	<p>Showing of customer or customer-related status (§ 1802(b)):</p> <p>This is the Interstate Renewable Energy Council’s (IREC) first request for intervenor compensation before the Commission, and the Commission has not yet made a determination on IREC’s customer-related status in this proceeding. IREC demonstrated its category 3 customer status in its NOI as an organization authorized by its bylaws to represent the interest of residential and small commercial ratepayers. As stated there, IREC is authorized by its bylaws to “engag[e] in cooperative efforts to accelerate sustainable utilization of renewable energy sources and technologies in and through government activities and to promote safe, quality renewable energy products and fair practices.” IREC NOI at 2. Pursuant to its bylaws, IREC has participated in regulatory proceedings that advance the interests of residential and small commercial ratepayers before public utility commissions in over 40 states.</p> <p>Consistent with the Commission’s decisions awarding intervenor compensation, IREC engages in regulatory activities that concern the interests of residential and small commercial customers in rates, service delivery and service quality. See D.03-012-058 (noting that the Commission’s intervenor compensation guidance “permits organizations to put forward positions that objectively advance customer interests in costs, rates, service delivery, service quality, etc.”). Accordingly, IREC respectfully requests that the Commission find that its bylaws are sufficient to establish category 3 status, consistent with previous Commission practice regarding similar organizations that represent general environmental and societal concerns. (See, e.g., D.10-07-015; D.04-10-012; D.03-12-058.)</p>

			<p>Showing of “significant financial hardship” (§ 1802(g)):</p> <p>The cost of participation for an individual member is a well-established test for determining significant hardship for organizations seeking intervenor compensation under category 3 customer status. California Pub. Util. Code § 1802(g). IREC’s estimated cost of participation in this proceeding exceeded the benefits expected to accrue to individual members of the organization and IREC’s actual costs of participation exceeded the original estimate. This difference is explained below in Part III, Section A, subsection (c). The benefits of improved interconnection procedures inure to the public generally by removing a barrier to greater utilization of renewable energy. Such benefits are hard to quantify on an individual basis and would be relatively small on an individual basis when total benefits are spread out over all residential and small commercial customers, a group which includes IREC’s California members. Accordingly, the costs of participation far exceed the benefits to an individual member and justify a finding of significant financial hardship.</p>
		X	<p>The Commission has reviewed IREC’s bylaws submitted to the Commission on October 27, 2011, and agrees with IREC’s assertion that it is a Category 3 Customer. According to Pub. Util. Code § 1802(b)(1) and D.98-04-059 a Category 3 Customer is a “formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial electric customers. Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 Customers, even if the above requirement is not specifically met in the articles or bylaws.”¹ IREC’s bylaws assert it is to “promote safe, qualify renewable energy products and fair practices.”² After reviewing IREC’s bylaws and its comment(s) above, the Commission agrees with IREC in that IREC purpose is to represent under represented customers, and expand customer access to renewable energy resources. Thus, the Commission finds IREC eligible to receive compensation due to its showing of customer or customer-related status.</p>
		X	<p>IREC’s NOI to claim intervenor compensation and comments above clearly states that the individual members of the group of organization is small in comparison to the cost of effective participation in the group. Thus, the Commission finds IREC eligible to receive compensation due to its showing of significant financial hardship.</p>

¹ *Intervenor Compensation Program Guide*, available at <http://www.cpuc.ca.gov/PUC/IntervenorCompGuide/index.htm>.

² Interstate Renewable Energy Council Bylaws at 1.

PART II: SUBSTANTIAL CONTRIBUTION

A. In the fields below, describe in a concise manner Claimant's contribution to the final decision (see § 1802(i), § 1803(a) & D.98-04-059)

Contribution	Specific References to Claimant's Presentations and to Decision	Showing Accepted by CPUC
<p>INTRODUCTION</p> <p>IREC is a non-profit organization that has worked for three decades to expand consumer access to renewable energy resources through the development of programs and policies that reduce barriers to renewable energy deployment and increase consumer access to renewable technologies. During the three decades of its existence, IREC has developed a special expertise with regard to the subject matter of this proceeding. IREC has worked in nearly 40 states to implement successful regulatory policies and programs that have greatly expanded customer access to solar and other renewable distributed generation (DG) technologies, including interconnection procedures for small generators interconnecting to distribution systems. IREC has worked on interconnection policies in Colorado, Delaware, Florida, Illinois, Iowa, Kansas, Maine, Maryland, New Mexico, North Carolina, South Dakota, Utah, Vermont, Virginia, Washington and West Virginia and is presently active in interconnection reform efforts in the states of California, Hawaii, Massachusetts, Ohio, New Jersey and before the Federal Energy Regulatory Commission (FERC). IREC publishes model rules for interconnecting small generators to electric distribution systems. Its team members have authored several reports for the Solar America Board for Codes and Standards on the topic of interconnection and are presently drafting a report for the National Renewable Energy Laboratory on this topic.</p> <p>IREC's extensive experience and institutional knowledge of interconnection procedures is relevant to its demonstration of substantial contribution to D.12-09-018. IREC has a national reputation for its technical expertise in interconnection policy and is able to leverage its inter-jurisdictional experience to recognize and promote best practices in interconnection policy in proceedings across the country.</p> <p>IREC played a critical role in developing the Rule 21 tariff revisions approved by D.12-09-018. Other than Staff and the utilities, no other party was as centrally involved in the drafting process of Rule 21 revisions. Due to the settlement nature of the proceeding, there is a limited record of party contributions in Rulemaking (R.) 11-09-011, and it is therefore difficult to point to specific references in the record noting IREC's positions and involvement. However, a review of our time records and an explanation of the critical role IREC served in developing Rule 21 tariff modifications</p>	N/A	

<p>illustrate IREC's substantial contribution to D.12-09-018. Specifically, IREC represents that it made the following substantial contributions, which are individually discussed below:</p> <ol style="list-style-type: none"> 1. IREC developed early proposals on a number of substantive issues approved by D.12-09-018; 2. IREC undertook a substantial role in drafting the revised Rule 21; 3. IREC provided significant assistance to parties through its technical expertise and knowledge of other relevant interconnection procedures; and 4. IREC drafted and submitted the Settlement Motion approved by D.12-09-018. 		
<p><u>1. IREC developed early proposals on a number of substantive issues approved by D.12-09-018.</u> IREC participated actively in all Rule 21 Working Group sessions convened by Commission Staff. IREC participated in meetings and break-out sessions and submitted written comments and proposals that helped identify and refine key components of the revised Rule 21 that were ultimately adopted by D.12-09-018. For example, in IREC's comments on the Working Group workshop agenda, IREC emphasized the following issues that are now reflected in the revised Rule 21:</p> <ul style="list-style-type: none"> • An overall structure that varies the level of review according to the complexity of an individual interconnection request; • The need to reform technical review screens that are used to identify which generator interconnection requests can be approved through an expedited process; • The addition of a robust and well-defined supplemental review process for generators that fail initial technical review screens yet do not require a full study; and • A revamped study process with updated fees and consideration of a group study process and coordination with FERC-approved study processes. <p><i>See IREC's Comments on Workshop Agenda, submitted May 31, 2012.</i> IREC worked with other parties to refine these early proposals during the processes of drafting, editing, and negotiating. In addition to these early proposals, IREC helped to foster and develop other important proposals that were adopted with the revised Rule 21, including, but not limited to, revisions to the dispute resolution process and the new pre-application report.</p> <p>IREC's extensive participation in the early phases of Rule 21 development and its continuing work to advance these and other specific proposals substantially contributed to D.12-09-018.</p>	<p>D.12-09-018 at 6.</p> <p>D.12-09-018 at 22 (holding that it is reasonable for the overall structure of Rule 21 to be broken into three study tracks); 24 (holding as reasonable the introduction of Screen N to address high-penetration issues); 25 (holding that the proposed settlement is reasonable because it supports improved "transparency, predictability, and timeliness.").</p> <p><i>See Rule 21 Sections E.1, K.</i></p> <p>D.12-09-018 at 37-38.</p>	<p>Yes</p>
<p><u>2. IREC undertook a substantial role in drafting the revised Rule 21.</u> IREC was specifically asked by Commission Staff to participate on a drafting team that took a leading role in drafting and</p>		<p>Yes</p>

<p>editing the revisions to Rule 21 adopted in D.12-09-018 (the “Drafting Team”). During the period from November 2011 to January 2012, the bulk of the activity in this proceeding centered on the work of the Drafting Team. In total, there were nine full-day or partial-day Drafting Team meetings held in northern and southern California.</p> <p>Other than Commission Staff, IREC was the only non-utility participant on the Drafting Team. Accordingly, IREC made significant efforts to function as an intermediary that facilitated party input during the drafting and editing process. IREC held multiple conference calls with parties to ensure they were apprised of the progress and that their central concerns were given consideration in the drafting process.</p> <p>As part of the Drafting Team, IREC also took a lead role in drafting many of the Rule 21 tariff revisions approved in D.12-09-018. In particular, IREC drafted sections associated with the following processes or standards:</p> <ul style="list-style-type: none"> • <u>Review Process for Interconnection Requests</u>: IREC attorneys oversaw drafting of Section F (at 36-59 of the tariff accompanying the Motion to Accept the Settlement Proposal) in the revised Rule 21 tariff, which specifies the review process for interconnection requests. Revised Section F improves upon the former Rule 21 process by clarifying timelines and responsibilities in the interconnection process. • <u>Expedited Review in High Penetration Areas</u>: Newly introduced Supplemental Review Screens will expand the opportunity for expedited review in high penetration areas by applying a 100 percent of minimum load standard along with screens that address safety, reliability and power quality impacts. The Supplemental Review screens are particularly helpful for solar generators because they allow the use of daytime minimum load as a screening tool, which is more relevant for technologies that only generate during daylight hours. IREC’s technical expert worked closely with utility engineers to develop and refine the screens used in the Supplemental Review Process. • <u>Incorporation of timelines throughout Rule 21</u>: While working section by section with the IOUs, IREC highlighted and pushed for the inclusion of timelines in all appropriate and applicable sections. A comparison of the revised Rule 21 against the former Rule 21 reveals that the new rule features important new timelines that further the transparency and efficiency of the process. • <u>Study Process/ ISP</u>: Existing Rule 21 did not provide many details or guidelines about the utility interconnection study process. IREC made significant contributions to drafting Rule 21’s revamped study process. IREC’s timesheets show 	<p>D.12-09-018 at 24-25 (“... this second screen [Screen N] ... which permits higher penetration levels of distributed generation without significantly increasing the time or expense of the interconnection process....”).</p> <p>D.12-09-018 at 25; 26; 37. (holding that the inclusion of timelines in revised Rule 21 is reasonable in light of the record).</p> <p>D.12-09-018 at 24 (holding that the extensive procedural reforms to the study process in the proposed settlement are reasonable in light of the record).</p>	
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<p>that a significant amount of time was spent drafting, strategizing, researching, and negotiating provisions of both the Study Process and the Independent Study Process.</p> <p>Through these efforts, IREC substantially contributed to D.12-09-018 by imbuing the final rule with well-vetted and researched language to support new processes and standards that support the goals of a reasonably priced and efficient interconnection process.</p> <p>//</p> <p>//</p> <p>//</p> <p>//</p>		
<p><u>3. IREC provided significant assistance through its technical expertise and knowledge of other relevant interconnection procedures.</u> IREC provided information and research to the Drafting Team and parties on interconnection practices in other jurisdictions, including with regard to dispute resolutions, enforcement and accountability provisions for required timelines, requirements to provide building permits, and provisions for reimbursement of customer expenses for network upgrades in the Federal Energy Regulatory Commission’s interconnection procedures (SGIP and LGIP). D.12-09-018 recognizes the importance of considering procedures and best practices from other jurisdictions, including the FERC SGIP.</p> <p>In addition, IREC’s technical expert, Michael Sheehan, contributed the benefit of his extensive engineering background and knowledge of the technical aspects of interconnection standard design. Mr. Sheehan has authored numerous reports on interconnection for the Solar America Board for Codes and Standards and he is an active member of several IEEE subcommittees that are focused on standards for interconnecting generators to electric distribution systems. Mr. Sheehan was virtually the only non-utility engineer that participated in the Rule 21 reform process. Mr. Sheehan worked closely with utility engineers to ensure that proposed reforms allowed utilities to maintain system safety and reliability.</p>	<p>D.12-09-018 at 32-34 (holding that the proposed settlement achieves a high level of standardization, consistent with state and federal policy goals).</p> <p>D.12-09-018 at 59, Finding of Fact No. 5 (finding that revised Rule 21 “sets forth technical operating and interconnection standards for distributed generation that will continue to ensure the safe and reliable operation of the electric grid.”).</p>	Yes
<p><u>4. IREC drafted and submitted the Settlement Motion approved by D.12-09-018.</u> IREC researched and drafted the motion for approval of the settlement, substantially contributing to D.12-09-018 by making a sufficient showing that the revised Rule 21 is reasonable in light of the record, consistent with law, and in the public interest.</p>	<p>IREC’s March 16, 2011 Motion for Approval of the Settlement Agreement Revising Distribution Level Interconnection Rules and Regulation (Settlement Motion).</p> <p>D.12-09-018 at 20</p>	<p>Yes</p> <p>Motion was dated March 16, 2012.</p>

	(Section 5.1) (holding that proposed settlement is reasonable in light of the record); 25 (Section 5.2) (holding that the proposed settlement is consistent with law); 31 (Section 5.3) (holding that the settlement is in the public interest).	
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B. Duplication of Effort (§§ 1801.3(f) & 1802.5):

	Claimant	CPUC Verified
a. Was the Division of Ratepayer Advocates (DRA) a party to the proceeding?	Yes	Verified
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Verified
c. If so, provide name of other parties: Most parties involved in the settlement process shared IREC's focus on improving the interconnection process for renewable generators, including the utilities. However, the parties with positions most similar to IREC's included: Center For Energy Efficiency and Renewable Technologies, Clean Coalition, Sierra Club, Solar Energy Industries Association (SEIA), SunEdison, Sunlight Partners, Sustainable Conservation and The Vote Solar Initiative. However, this list is not exhaustive of all parties that participated in early discussions and/or the settlement process. Other individuals or entities that participated in workshops or in the stakeholder process, but were not necessarily formally recognized parties in R.11-09-011.		Verified
d. Describe how you coordinated with DRA and other parties to avoid duplication or how your participation supplemented, complemented, or contributed to that of another party: Due to the settlement nature of this proceeding IREC is not able to identify the positions it developed with other parties, but can describe generally its efforts to coordinate and prevent duplication of work. From the very outset of the process, IREC coordinated with other stakeholder organizations to develop proposals that were ultimately supported by numerous other organizations. This work relieved other organizations of the need to develop separate proposals and helped make the settlement process more efficient. IREC also had a unique role on the drafting team as the only non-utility participant besides Commission Staff. The small group enabled the drafting process to proceed as efficiently as possible, but IREC was respectful of its role and thus consistently communicated with other parties to help ensure their input was heard. In light of its singular role throughout much of the drafting process, IREC did not duplicate the efforts of other parties and was heavily relied upon to complete time-sensitive and labor-intensive tasks. IREC, in this way, supplemented and complimented the efforts of the other parties to the settlement, providing its expert and attorneys to complete critical settlement tasks.		Verified

Accordingly, IREC requests that the Commission find that IREC has made reasonable efforts to avoid duplication, and to the extent there is any overlap between IREC's substantial contribution to D.12-09-018 and other parties, that IREC's contribution to Rule 21 reform efforts supplemented and complimented the works of all other parties.

C. Additional Comments on Part II:

#	Claimant	CPUC	Comment
		X	DRA opposed adoption of the Settlement Agreement.

PART III: REASONABLENESS OF REQUESTED COMPENSATION

A. General Claim of Reasonableness (§§ 1801 & 1806):

a. Concise explanation as to how the cost of Claimant's participation bears a reasonable relationship with benefits realized through participation:	CPUC Verified
<p>IREC's contribution to new standards and processes reflected in revised Rule 21 constitute a significant achievement and advancement of Rule 21 that enables it to serve the needs of California's various procurement programs. IREC's emphasis on instituting a well-defined Supplemental Review and Study Process, as well as making changes to initial Fast Track review screens to reflect the policy priorities of the Commission, resulted in new standards that will greatly benefit ongoing utility programs such as the SB 32 Re-MAT, the Renewable Auction Mechanism, and the IOUs' net metering programs. IREC's substantive contributions to Rule 21 provide a quicker, more cost-effective path to interconnection for many participants in these programs. This in turn provides a significant benefit to California's energy goals, economy, and electric utility ratepayers. Given the importance of these programs to the state's energy goals and economy, the cost of IREC's participation is reasonable. IREC's contributions to revised Rule 21—a robust supplemental review process, a well-defined study process, and improved technical review screens for expedited interconnection—provide certainty to the market that will support efficient siting decisions by developers and will lead to cost savings for ratepayers. The cost of IREC's participation and contribution to these standards is far outweighed by these benefits. Given the extent of IREC's impact on the final, approved Rule 21 revisions, the cost of IREC's participation bears a reasonable relationship to the outcome of D.12-09-018.</p> <p>IREC, additionally, requests fee enhancement for the participation of its engineer, Michael Sheehan, and attorneys Kevin Fox and Sky Stanfield. <i>See Attachment 3: Basis for IREC Fee Enhancement for Kevin Fox, Sky Stanfield, and Michael Sheehan.</i> IREC suggests that a fee enhancement reflects the unique contributions of these three individuals and that, given IREC's established expertise with interconnection procedures and in identifying best practices in interconnection that support distributed generation market growth, IREC was the most appropriate and capable party to represent the interest of California residential and small commercial ratepayers to achieve the Commission's goals within the scope of this proceeding. The total award to IREC, including fee enhancement for these three individuals, bears a reasonable relation to the significant benefits that California</p>	<p>Verified</p>

ratepayers will realize as a result of Rule 21 reforms and more efficient interconnection process to aid the many Commission programs that depend upon interconnection to achieve renewable penetration goals.	
<p>b. Reasonableness of Hours Claimed.</p> <p>IREC's hours claimed are reasonable and represent efficient allocation of tasks to IREC's team members. The scope and breadth of tasks within the working group drafting process and settlement discussions required participation by multiple persons from IREC in meetings. For example, in the Drafting Team, IREC worked with all three IOUs on a comprehensive range of issues. This necessitated active, ongoing participation by two attorneys and a technical expert to adequately perform the tasks and to participate in meetings with the Drafting Team. IREC worked in good faith to minimize its expenses and to reduce overlap of its attorneys and expert. IREC's attorneys divided tasks between themselves to avoid duplication of effort. It would not have been possible to do the labor asked of IREC in the short time frame with only one attorney working on the matter.</p> <p>IREC's actual hours exceed the hours that IREC estimated would be necessary to effectively participate in this proceeding in its NOI. Although IREC anticipated being engaged in this process on every issue, IREC did not anticipate being asked to both take a leading role on the drafting team and to draft the settlement motion. This increased degree of participation accounts for IREC's ultimate hours claim, which is reasonable for the reasons listed above.</p>	Reasonable
<p>c. Allocation of Hours by Issue</p> <p>Unlike traditional circumstances, where parties contribute to Commission decisions by providing perspective on discrete issues to the Commission directly through comments and briefing, IREC's substantial contribution to D.12-09-018 relates to the tasks it performed, and the issues addressed in D.12-09-018 are all embedded within these tasks. Accordingly, for purposes of this request, IREC's time entries are classified under the heading of "Tasks." All of IREC's time entries involve a task related to the development of revised Rule 21. Where there are multiple tasks in a time entry, IREC has provided its best, good faith estimate of time allocations to each task.</p> <p>Tasks</p> <p>A. Workshops and Settlement Meetings (Attending and participating in workshops and settlement meetings, in person or via telephone, preparation for meetings).</p> <p>B. Drafting Team Meetings (Attending and participating in drafting team meetings, preparation for drafting team meetings, and communications regarding issues related to meetings with other team members).</p> <p>C. Meetings/Calls with other parties. (Meetings and telephone calls with outside parties, including the CPUC, regarding strategy, coordination of positions, addressing outside party input into drafting team process, and all correspondence with outside parties regarding same).</p> <p>D. Internal Meetings/Calls (Meetings or telephone calls with IREC team members regarding strategy, updates from individuals on their participation in related meetings, development of proposal ideas, and all other related issues for which internal coordination and correspondence was required).</p> <p>E. Tariff Drafting (Drafting and editing revised Rule 21, including internal</p>	Verified

correspondence regarding same).

F. General Research (All research performed to support IREC team efforts on development of Rule 21 standards and language; this does not include research related to the Settlement Motion or drafting of intervenor compensation request)

G. Drafting (Drafting, researching, and editing proposals, comments, settlement documents, including the Settlement Motion).

H. Review other parties' filings and documents (Review of comments, replies, and proposals that were either filed, submitted to IREC, or served upon the service list for R.11-09-011).

B. Specific Claim*:

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Kevin Fox	2011	140.3	\$300/hr	ALJ-267; *15% fee enhancement See Attachment 3	\$42,090 (\$48,403.50 with fee enhan.)	140.3	\$285 ³	\$39,985.50
Kevin Fox	2012	114.8	\$300/hr	ALJ-281; *15% fee enhancement See Attachment 3	\$34,440 (\$39,606 with fee enhan.)	114.8	\$290	\$33,292.00
Sky Stanfield	2011	141.2	\$300/hr	ALJ-281; *15% fee enhancement See Attachment 3	\$42,360 (\$48,714 with fee enhan.)	141.2	\$285	\$40,242.00
Sky Stanfield	2012	161.5	\$300/hr	ALJ-281; *15% fee enhancement See Attachment 3	\$48,450 (\$55,717.50 with fee enhan.)	161.5	\$290	\$46,835.00
Thad Culley	2011	10.6	\$200/hr	ALJ-267	\$2,120	10.6	\$185	\$1,961.00
Thad Culley	2012	18.1	\$200/hr	ALJ-281	\$3,620	18.1	\$190	\$3,439.00
Tim Lindl	2012	78.9	\$210/hr	ALJ-267	\$16,569	78.9	\$150	\$11,835.00
Michael Sheehan (Expert)	2011	144	\$390/hr	ALJ-267; *15% fee enhancement See	\$56,160 (\$64,584 with fee enhan.)	144	\$390	\$56,160.00

³ Rate approved in D.12-04-02.

				Attachment 3				
Michael Sheehan (Expert)	2012	43	\$390/hr	ALJ-281; *15% fee enhancement See Attachment 3	\$16,770 (\$19,285.50 with fee enhan.)	43	\$400	\$17,200.00
	Subtotal:				\$262,579 (\$298,619.50 with fee enhan.)	Subtotal:		\$250,949.50
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Kevin Fox	2011	7.3	\$150/hr	50% of rate (travel)	\$1,095	7.3	\$142.50	\$1,040.25
Sky Stanfield	2011	5.8	\$150/hr	50% of rate (travel)	\$870.00	5.8	\$142.50	\$826.50
	Subtotal:				\$ 1,965	Subtotal:		\$1,866.75
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Kevin Fox	2011	0.6	\$150/hr	50% of rate	\$90	0.6	\$142.50	\$85.50
Kevin Fox	2012	2	\$150/hr	50% of rate	\$300	2	\$145	\$290.00
Sky Stanfield	2012	8.8	\$150/hr	50% of rate	\$1,320	4	\$145	\$580.00
Thad Culley	2011	5	\$100/hr	50% of rate	\$500	2	\$92.50	\$185.00
Thad Culley	2012	19	\$100/hr	50% of rate	\$1,900	10	\$95	\$950.00
	Subtotal:				\$4,110	Subtotal:		\$2,090.50
COSTS								
#	Item	Detail			Amount	Amount		
1	Sky Stanfield and Kevin Fox Travel	Travel to Santa Ana for Drafting Team Meeting for Sky Stanfield and Kevin Fox (11/15/11). Attachment 7.			\$810.80			\$810.80
2	Sky Stanfield Travel	Travel to Santa Ana for Drafting Team Meeting by Sky Stanfield (11/22/11). Attachment 7.			\$408.40			\$408.40
3	Sky Stanfield Travel	Travel to Santa Ana for Drafting Team Meeting for Sky Stanfield and Kevin Fox (11/29/11). Attachment 7.			\$783.80			\$783.80
4	Kevin Fox Travel (1/11/12)	Travel to Drafting Team Meeting in Rosemead, CA and Lodging. Attachment 7.			\$543.30			\$543.30
Subtotal:					\$2,546.30	Subtotal:		\$2,546.30

TOTAL REQUEST \$:	\$271,200.30 (\$307,240.80 w/ fee enhan.)	TOTAL AWARD \$:	\$257,453.05
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*We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Claimant's records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.

**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer's normal hourly rate

Attorney	Date Admitted to CA BAR	Member Number
Kevin Fox	June 11, 2008	256609
Thadeus Culley	December 1, 2010	271602
Sky Stanfield	December 1, 2006	244966
Timothy Lindl	December 4, 2009	267030

C. CPUC Disallowances & Adjustments:

#	Reason
1. Disallowance for Failure to justify hourly rate(s).	IREC states its individuals should be awarded a fee enhancement for their work in this proceeding. However, IREC does not make a compelling argument. Abiding by rates established in prior Commission Decisions and the fee schedule in ALJ-267, the Commission has adjusted IREC's hourly rates accordingly. The rates awarded to IREC staff are reflective of their credentials and work in Commission proceedings.
2. Disallowance for unproductive efforts/excessive hours.	The Commission disallows 16.8 hours from the total amount of hours IREC staff spent composing the Intervenor Compensation Claim. The 18.6 hours awarded for the composition of this claim is more than reasonable in comparison to the originally claimed 35.4.
3. Increase in 2012 hourly rates.	Abiding by Resolution ALJ-281 2012 hourly rates have been raised to reflect the 2.2% Cost-of-Living Adjustment adopted by the resolution.

PART IV: OPPOSITIONS AND COMMENTS

A. Opposition: Did any party oppose the Claim?	No
B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(2)(6))?	Yes

FINDINGS OF FACT

1. Interstate Renewable Energy Council has made a substantial contribution to Decision 12-09-018.
2. The claimed fees and costs are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses are reasonable and commensurate with the work performed.
4. The total of reasonable contribution is \$257,453.05.

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above satisfies requirements of Public Utilities Code §§ 1801-1812.

ORDER

1. The Interstate Renewable Energy Council is awarded \$257,453.05.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, San Diego Gas and Electric Company, and Southern California Edison Company shall pay the Interstate Renewable Energy Council their respective shares of the award, based on their California-jurisdictional electric and gas revenues for the 2012 calendar year, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning January 1, 2013, the 75th day after the filing of the Interstate Renewable Energy Council's request, and continuing until full payment is made.
3. The comment period for today's decision is waived.

This decision is effective today.

Dated _____, at San Francisco, California.

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:		Modifies Decision?	
Contribution Decision(s):	D1209018		
Proceeding(s):	R1109011		
Author:	ALJ Regina DeAngelis		
Payer(s):	Pacific Gas and Electric Company , Southern California Edison Company, and San Diego Gas & Electric Company		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Interstate Renewable Energy Council	11/16/12	\$271,200.00 (\$307,241 including requested fee enhancement)	\$257,453.05	No	Requested fee enhancement not justified. Reductions lack of efficiency. Rates upwardly adjusted to reflect COLA in Resolution ALJ-281.

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Kevin	Fox	Attorney	IREC	\$300	2011	\$285
Kevin	Fox	Attorney	IREC	\$300	2012	\$290
Sky	Stanfield	Attorney	IREC	\$300	2011	\$285
Sky	Stanfield	Attorney	IREC	\$300	2012	\$290
Thad	Culley	Attorney	IREC	\$200	2011	\$185
Thad	Culley	Attorney	IREC	\$200	2012	\$190
Tim	Lindl	Attorney	IREC	\$210	2012	\$150
Michael	Sheehan	Expert	IREC	\$390	2011	\$390
Michael	Sheehan	Expert	IREC	\$390	2012	\$400

(END OF APPENDIX)